

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
IN RE SEPTEMBER 11 LITIGATION :  
:  
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21 MC 97 (AKH)

This document relates to:

~~42~~ Cases listed below

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

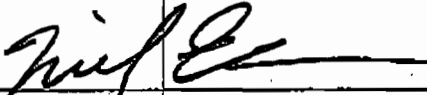
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys of record for the respective parties hereto that defendants ATA Airlines, Inc. ("ATA") is hereby dismissed without prejudice and without costs to either party as against the other in the following individual actions consolidated in the In re September 11 Litigation (21 MC 97):

**FLIGHT 175**

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|--|------------|
| 1. Bailey v. United Airlines, Inc., et al        | 03 CV 6802 |
| 2. Baker v. United Airlines, Inc., et al.        | 02 CV 6364 |
| 3. Bavis v. United Airlines, Inc.                | 02 CV 7154 |
| 4. Jones and Carstanjen v. United Airlines, Inc. | 02 CV 7153 |
| 5. Hayden v. United Airlines, Inc.               | 03 CV 6811 |
| 6. Jalbert v. United Airlines, Inc.              | 03 CV 6801 |
| 7. Lopez v. United Airlines, Inc.                | 02 CV 0458 |
| 8. Nassaney v. United Airlines, Inc.             | 03 CV 7083 |
| 9. Koutry v. United Airlines, Inc.               | 02 CV 2802 |
| 10. Sanchez v. United Airlines, Inc.             | 03 CV 7084 |
| 11. Sweeney v. United Airlines, Inc.             | 02 CV 1727 |
| 12. Titus v. United Airlines, Inc., et al        | 02 CV 6365 |
| 13. Pocasangre v. United Airlines, Inc., et al   | 02 CV 7152 |

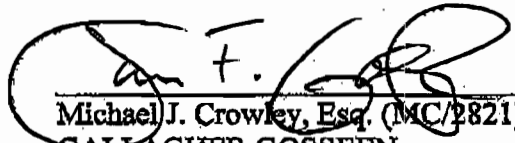
Plaintiffs specifically reserve the right to recommence these actions if the statements in the affidavits of Cathy Miles submitted on behalf of ATA proves untrue.

Dated: Mt. Pleasant, SC  
November 16<sup>th</sup>, 2007

  
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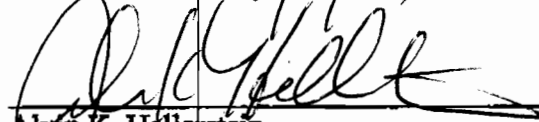
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SO ORDERED: 11/26/07

  
Alvin K. Hellerstein  
United States District Judge